



Reprinted  
March 6, 2001

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## SENATE BILL No. 471

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DIGEST OF SB 471 (Updated March 5, 2001 3:08 PM - DI 98)

**Citations Affected:** Noncode.

**Synopsis:** Prescribing psychotropic medication for children. Requires the controlled substances advisory committee to review the records maintained by the central repository for controlled substances designated by the state police department regarding the prescribing of psychotropic medications to children. Requires the report to contain specified information and to be filed with the legislative council, governor, and medical licensing board by December 1, 2001.

**Effective:** July 1, 2001.

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**Miller, Breaux**

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January 22, 2001, read first time and referred to Committee on Health and Provider Services.

February 27, 2001, amended, reported favorably — Do Pass.

March 5, 2001, read second time, amended, ordered engrossed.

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SB 471—LS 8038/DI 98+



Reprinted  
March 6, 2001

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

## SENATE BILL No. 471

A BILL FOR AN ACT concerning professions and occupations.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. [EFFECTIVE JULY 1, 2001] (a) As used in this  
2       SECTION, "advisory committee" refers to the controlled  
3       substances advisory committee established by IC 35-48-2-1(f).

4       (b) The advisory committee shall review the records maintained  
5       by the central repository for controlled substances designated by  
6       the state police department under IC 35-48-7-10 regarding the  
7       prescribing of psychotropic medications to children.

8       (c) Not later than December 1, 2001, the advisory committee  
9       shall submit a report to the legislative council, the governor, and  
10      the medical licensing board established under IC 25-22.5-2-1  
11      regarding the review required under this SECTION.

12      (d) The report required under subsection (c) must include the  
13      following:

14          (1) A comparison of the number of prescriptions written for  
15          psychotropic medications for children:

16              (A) participating in Medicaid (IC 12-15) or the children's  
17              health insurance program (IC 12-17.6); and

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- 1           **(B) not participating in a program described in clause (A).**  
2           **(2) A statement by the advisory committee regarding whether**  
3           **the information provided under subdivision (1) indicates that**  
4           **psychotropic medications are being disproportionately**  
5           **prescribed for children described in subdivision (1)(A).**  
6           **(3) Identification of any pattern of prescribing of psychotropic**  
7           **medications for children contrary to the most recent**  
8           **guidelines adopted by the American Academy of Pediatrics**  
9           **and the American Academy of Child and Adolescent**  
10          **Psychiatry.**  
11          **(e) The report required under subsection (c) may not contain**  
12          **any information that:**  
13               **(1) may be used to identify a child for whom a psychotropic**  
14               **medication was prescribed; or**  
15               **(2) indicates that a particular physician's prescribing of**  
16               **psychotropic medications to a child was inappropriate.**  
17          **(f) Any meeting held by the advisory committee to comply with**  
18          **this SECTION is not open to the public.**  
19          **(g) Unless otherwise provided by law, records reviewed by the**  
20          **advisory committee to comply with this SECTION are not public**  
21          **records.**  
22          **(h) This SECTION expires December 31, 2001.**

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SENATE MOTION

Mr. President: I move that Senator Breaux be added as coauthor of Senate Bill 471.

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## COMMITTEE REPORT

Mr. President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 471, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:  
 "SECTION 1. IC 25-23-1-19.5, AS AMENDED BY P.L.83-2000, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 19.5. (a) The board shall establish a program under which advanced practice nurses who meet the requirements established by the board are authorized to prescribe legend drugs. ~~including controlled substances (as defined in IC 35-48-1).~~

(b) The authority granted by the board under this section:

- (1) expires on October 31 of the odd-numbered year following the year the authority was granted or renewed; and
- (2) is subject to renewal indefinitely for successive periods of two (2) years.

(c) The rules adopted under section 7 of this chapter concerning the authority of advanced practice nurses to prescribe legend drugs must do the following:

- (1) Require an advanced practice nurse or a prospective advanced practice nurse who seeks the authority to submit an application to the board.
- (2) Require, as a prerequisite to the initial granting of the authority, the successful completion by the applicant of a graduate level course in pharmacology providing at least two (2) semester hours of academic credit.
- (3) Require, as a condition of the renewal of the authority, the completion by the advanced practice nurse of the continuing education requirements set out in section 19.7 of this chapter.

**(d) A program established under subsection (a) may not allow an advanced practice nurse to prescribe controlled substances (as defined in IC 35-48-1).**

SECTION 2. [EFFECTIVE JULY 1, 2001] **(a) As used in this SECTION, "advisory committee" refers to the controlled substances advisory committee established by IC 35-48-2-1(f).**

**(b) The advisory committee shall review the records maintained by the central repository for controlled substances designated by the state police department under IC 35-48-7-10 regarding the prescribing of psychotropic medications to children.**

**(c) Not later than December 1, 2001, the advisory committee**



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shall submit a report to the legislative council, the governor, and the medical licensing board established under IC 25-22.5-2-1 regarding the review required under this SECTION.

(d) The report required under subsection (c) must include the following:

(1) A comparison of the number of prescriptions written for psychotropic medications for children:

(A) participating in Medicaid (IC 12-15) or the children's health insurance program (IC 12-17.6); and

(B) not participating in a program described in clause (A).

(2) A statement by the advisory committee regarding whether the information provided under subdivision (1) indicates that psychotropic medications are being disproportionately prescribed for children described in subdivision (1)(A).

(3) Identification of any pattern of prescribing of psychotropic medications for children contrary to the most recent guidelines adopted by the American Academy of Pediatrics and the American Academy of Child and Adolescent Psychiatry.

(e) The report required under subsection (c) may not contain any information that:

(1) may be used to identify a child for whom a psychotropic medication was prescribed; or

(2) indicates that a particular physician's prescribing of psychotropic medications to a child was inappropriate.

(f) Any meeting held by the advisory committee to comply with this SECTION is not open to the public.

(g) Unless otherwise provided by law, records reviewed by the advisory committee to comply with this SECTION are not public records.

(h) This SECTION expires December 31, 2001."

Delete page 2.

and when so amended that said bill do pass.

(Reference is to SB 471 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 9, Nays 0.



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## SENATE MOTION

Mr. President: I move that Senate Bill 471 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning professions and occupations.

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 10.

Renumber all SECTIONS consecutively.

(Reference is to SB 471 as printed February 28, 2001.)

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